



Staff Report

AUTOMATED RED LIGHT PHOTO ENFORCEMENT PROJECT - UPDATE AND VENDOR PRESENTATION

Honorable Mayor and Council Members:

Summary

This report is the second update on the Automated Red Light Photo Enforcement Project, which was initially brought before Council at the February 14, 2006 City Council Meeting. It specifically addresses questions and concerns raised by Council during a follow-up report, which was given at the June 27, 2006 City Council Meeting.

Background

At the February 14th, 2006 City Council Meeting, Staff presented an informational report on Automated Red Light Photo Enforcement. That report outlined how such systems work, their benefits to the City and potential locations where such a program could be implemented. Direction was given by Council at that meeting to continue to pursue the matter and to bring back additional information for potential implementation.

Based on the direction received at the February 14, 2006 Council meeting, three vendors were contacted to give initial presentations to staff. Those presentations were as follows:

- April 5, 2006 – Redflex Traffic Systems
- April 25, 2006 – American Traffic Solutions (ATS)
- May 4, 2006 – Nestor Traffic Systems

Staff reported back to Council at the June 27, 2006 Council meeting and at the conclusion of that report, Staff recommended that the Council approve continued discussions with Nestor Traffic Systems as a potential vendor for Automated Red Light Photo Enforcement system(s). Direction was given by Council at that meeting to continue to pursue the matter and to bring back additional information for potential implementation, including a presentation to Council by Nestor Traffic Systems.

Discussion

At the June 27th City Council Meeting, Council raised questions raised regarding Automated Red Light Photo Enforcement and a member of the public asked about the potential for Automated Speed Enforcement as an adjunct to this project. This report will address one of the questions raised by Council, why did Cities, both using Nestor systems and systems from other vendors, pick the vendor they selected. It will also address the question of Automated Speed Photo Enforcement. Other questions regarding Automated Red Light Photo Enforcement and specifically the Nestor system will be addressed by the vendor presentation.

1. Why did Cities, both using Nestor systems and systems from other vendors, pick the vendor they selected?

Several cities were contacted and asked what system they use and why it was selected over the competing systems. (Note: Cities are indicated by letters only with no jurisdiction indicated in order to maintain the integrity of the information).

City	System	Comments
A	Redflex	Have had system for many years, best at the time, happy with product, no need to change.
B	Redflex	Best met the needs of the city at the time, happy with system and support.
C	ATS	Only looked at ATS & Redflex. ATS presented lower visual impact.
D	Nestor	Previous system by vendor bought by Nestor. Have new Nestor system, very happy with system and support. Low visual impact, including no need for inductive loops cut into roadway.
E	Nestor	No inductive loops, video based front and rear, most cameras can be mounted on existing traffic poles (reduces need for extra poles), violations can be viewed by an officer online the same day and filed the same day, customer service has been outstanding.

In conversations with these jurisdictions, the choice essentially came down to, which system best met the needs of that jurisdiction at the time chosen. As noted in the June 27th staff report, Nestor presents a low visual impact as they are a 100% digital video system and do not require any inductive loops.

2. Automated Speed Photo Enforcement.

Automated Red Light Photo Enforcement is authorized by sections 21455.5 through 21455.7 of the California Vehicle Code and accepted by the Superior Court in San Mateo County. True automated speed photo enforcement is not authorized by the California Vehicle Code and thus, not accepted by the Court. Such systems are in use outside of California, specifically in the state

of Arizona in the City of Scottsdale.

In California, a photo speed enforcement program can be set up, but the equipment must be operated by a person specifically trained in its use. Such a program has been in place in the City of San Jose, California since 1998. In San Jose, the program is called “Neighborhood Automated Speed Compliance Program” (NASCOP).

NASCOP is run through the San Jose Department of Transportation, not San Jose Police. This program is designed to address residents' speeding and safety concerns on local neighborhood streets, and to complement regular police traffic enforcement. NASCOP is used on local neighborhood streets, with a speed limit of 25-30 mph. As a correction to information provided at the June 27th Council Meeting, actual citations are issued by the San Jose program, not warnings.

A staff person uses a parked van containing a speed-sensing radar unit, and two cameras. The radar unit triggers the cameras to take pictures of the front and back of any vehicle driving faster than a predetermined amount over the speed limit. The registered owner of the vehicle, identified through their license plate numbers, receives a notice in the mail. The notice instructs the owner how to make an appointment to come in to the Department of Transportation Office to view and identify the pictures or how to respond by mail. Speeding citations may be issued as a result of the appointment or mail responses. If owners choose to ignore the notice or fail to appear for their appointments, citations may still be issued by staff checking the speeding photos against driver's license photos.

This program works best in neighborhoods where there has been a chronic speeding problem, not remedied through other efforts. NASCOP is not be used where residents have not previously contacted the Police Department for speed enforcement. It must be requested and supported by the majority of residents within a neighborhood through a petition, as it has been found that, it will primarily be neighborhood residents who may receive citations through this program.

Signs identifying the neighborhood as a photo-radar zone are posted at neighborhood perimeters, prior to enforcement, and/or on the streets being enforced. This is to ensure that the program is not hidden, but visible. The idea is to slow traffic, not issue citations. Each selected area will receive regular, random enforcement.

Based on information received from the City of San Jose, Staff recommends that any discussion on possible implementation of a similar program be done separate from the Automated Red Light Photo Enforcement Project. There are several issues, including the need for personnel to manage the program and operate the equipment which need to be explored in depth. Additionally, photo radar is not currently used in San Mateo County and approval from the Court would have to be obtained before any project could move forward.

General Plan/Vision Statement

Establishment of an Automated Red Light Photo Enforcement Program furthers the Belmont Vision Statement, adopted October 2003 as outlined below:

Key Value - Easy Mobility

- We put a priority on getting out of, into and through town efficiently.
- Bicyclists, walkers, and other nondrivers get where they're going easily and safely.
- We require safe residential streets and smooth-flowing thoroughfares.

Fiscal Impact

Staff has identified four (4) intersections with a total of six (6) approaches, at a base cost of \$4,950 per approach, per month. However, Nestor is compensated only when sufficient revenue is generated to off-set their costs. In other words, Nestor has proposed a “Cost Neutral” contract in which they own, install & maintain all equipment and recover maintenance costs from fine revenue collected. As a result, there is no direct cost to the City for the system.

While the specifics of the contract for Belmont have not been confirmed, the following general terms apply:

- 5 - Year term.
- Violation activity at selected intersections will be re-evaluated every six months for the term of the contract. If there are insufficient violations at a given intersection(s) then either the contract terms are renegotiated or the camera is moved to another problem intersection.

There are indirect personnel costs relating to the review of violations, response to citizen questions and appearance in court on contested citations. These costs are difficult to predict, however after discussions with California agencies already using the Nestor system, Staff estimates approximately five (5) hours per week in personnel time will be needed to review citations responding to citizen inquiries. This estimate may change depending on volume of citations & citizen inquired and method chosen by the City for review by citizens of their violation video (in-house, on-line or combination). Time relating to court appearances by department personnel can not be estimated at this time.

After the June 27th Council meeting, questions were raised in regards to the proposed contract with Nestor for this system. The following supplemental information was provided by Nestor.

- **Is there value to, or the possibility of, the City negotiating a lower price?** - It is a violator funded program, in the event the citations are not generating enough funds to pay for the system we will lower the price, or move the equipment to another location.

- **Are there any termination costs to the contract?** - In the event of termination of the contract, due to a breach by the Municipality during the term of the contract, the termination and cancellation fee for each installed approach shall equal the product of \$975.00 multiplied by the Remaining Term. The “Remaining Term” shall equal sixty (60) minus the number of whole months from the date that the Installed approach in question became operational to the date of termination.

Public Contact

Posting of City Council agenda. This project was presented at the February 14, 2006 and June 27, 2006 City Council Meetings, where it was posted on the City Council agendas. Those meetings were also televised on Ch 27. Since January, 2006, references to Belmont’s efforts in this area have been noted in at least four (4) articles on the subject in area newspapers.

Recommendation

Staff recommends that the Council approve continued discussions with Nestor Traffic Systems as a potential vendor for Automated Red Light Photo Enforcement system(s).

Alternatives

1. Take No Action.
2. Provide Additional Direction

Attachments

- A. Photos showing NASCOP equipment and signage – San Jose, California

Respectfully submitted,

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Attachment “A”

Photos of NASCOP Equipment and Signage – San Jose, California



Top Left: Rear view of a NASCOP enforcement vehicle with 30 MPH speed limit sign indicating “Photo Radar Enforced.”

Top Right: Front view of a NASCOP enforcement vehicle.

Bottom Left: Photo Radar equipment inside NASCOP vehicle.

Bottom Right: Different type of NASCOP advisory sign in a 25 MPH zone.

(Photos courtesy of the San Jose Department of Transportation, NASCOP In San Jose brochure).

Attachment “A”

Photos of NASCOP Equipment and Signage – San Jose, California



Top Left: Rear view of a NASCOP enforcement vehicle with 30 MPH speed limit sign indicating “Photo Radar Enforced.”

Top Right: Front view of a NASCOP enforcement vehicle.

Bottom Left: Photo Radar equipment inside NASCOP vehicle.

Bottom Right: Different type of NASCOP advisory sign in a 25 MPH zone.

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